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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,089	02/25/2004	Laurent Huet	713-1044	8536

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EXAMINER
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BOSWELL, CHRISTOPHER J

ART UNIT	PAPER NUMBER
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3676

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/785,089	HUET ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Christopher Boswell	3676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 19 May 2005.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by French Patent Number 2,622,244 to Arakawa et al.

Arakawa et al. disclose a locking device (1) having a case (2) open at one of its ends, a sliding member (4) engaged in the case (figure 2) and moveable with respect to the case in a sliding direction, the sliding member comprising a body (20) and two opposed elastic claws (21) which, when not urged, are maintained apart from each other, wherein the device has a locked position when the sliding member is inserted in the case with two opposed faces of the case holding the two claws brought towards each other (figure 3), and a release position with two opposed faces of the case freeing the claws (figure 2), a spring (5) being arranged between the body of the sliding member and the case, and urging the sliding member towards the release position, wherein the case comprises a work face (figures 19-22) provided with an elastic leg (7) moveable in the plane of the work face, the elastic leg being provided with a follower (27) projecting towards an inside of the case, and the sliding member comprises, a planar cam surface (6) from which projects, towards the work face, a central island (22) about which is formed a cam track (figure 13) for the follower, wherein the follower, with respect to the island, being in a

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captive position when the device is in the locked position and in a free position when the device is in the release position, and on the first push, the follower passing from the free position to the captive position by a first path on the cam track and, on the second push, the follower passing from the captive position to the free position by a second path distinct from the first path, wherein the follower, while traveling on the first and second paths, moves in the plane of the work face from one of the two opposed faces of the cases towards the other (figures 19-22), as in claim 1.

Arakawa et al. also disclose the elastic leg has, on the face on the opposite side from the follower, a planar contact surface (13) adapted to cooperate with a wall (30) provided for being held against the work face, as in claim 2, as well as the case having, on each of the opposed faces adjacent to the work face, fixing lugs (10) opposite a stop surface (the face of element 8 that holds the case against the wall 30, opposite the lugs 10) transverse to the direction of sliding, wherein the contact surface extends beyond the ends of the fixing lugs towards the opening (figure 1 and 2), as in claim 3, and the elastic leg has two branches (25 and 28) each attached to a corner of the work face, the two branches joining together at the follower, as in claim 4, wherein the follower comprises a lateral flat (figure 1), as in claim 5, as well as the cam track is defined by two lateral walls (walls on either side of the sliding member as shown in figure 9) substantially parallel to the direction of sliding, as well as by a peninsula (the peninsula across the cam track from the central island as shown in figure 13) facing the central island, and being situated at the connection of the elastic claws to the body of the sliding member (figure 13), the lateral walls and the peninsula projecting from the cam surface towards the work face (figures 1 and 10), as in claim 6, wherein the central island comprises a first edge (figure 13), parallel to the direction of

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sliding, a second edge (22a) extending obliquely from one end of the first edge, the first and second edges furthermore being connected by a third, curved edge (22b) bowed towards the inside of the central island, as in claim 7.

Arakawa et al. further disclose the peninsula has two edges forming a point directed towards the central island (figure 13), one of the two edges being situated on the same side as the second edge of the central island and being parallel to the direction of sliding, while the other of the two edges being situated on the same side as the first edge of the central island and being oblique (figure 13), as in claim 8, and the cam track comprises a portion of width just sufficient for the passage of the follower (figure 13), as in claim 9, and the peninsula comprises at least one stop edge (end of the cam surface located in front of elements c and f) arranged transversely to the direction of sliding and adapted to form an abutment for the follower, as in claim 10, additionally the cam surface further comprises a non-return rib (rib between elements e and f) projecting from the surface (figure 13 and 14) towards the work face and arranged parallel to the direction of sliding, the non-return rib extending between the central island and the peninsula (figure 13), as in claim 11, and the lateral walls comprise a portion (the two ends that extend beyond the cam surface opposite of the claws as shown in figure 13) projecting beyond the opposite end of the sliding member from the claws and adapted to be inserted in an aperture (12) formed in the opposite face of the case from the opening, as in claim 15.

Arakawa et al. additionally disclose the case has a guide aperture (19) on one of its sides perpendicular to the opening, wherein the sliding member having a tooth (24) engaged in the guide aperture, as in claim 12, where the case comprises an engagement groove (groove at the bottom of the case as shown in figure 7) situated on the inner face of the side on which the guide

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aperture is formed, the engagement groove continuing on from the guide aperture to one end of the case and having a depth smaller than that of the guide aperture (the guide aperture extends through the bottom surface of the case, whereas the engagement groove extends partially through the bottom surface, as shown in figure 7), as in claim 13, where the tooth has a bevel (24'), as in claim 14, as well as the casing has a guide (17) for the spring, projecting from the opposite face (figure 5) of the case from the opening, as in claim 16, where the sliding member has a hole (23) for receiving the spring (figures 19 and 20), as in claim 17.

Arakawa et al. also disclose a locking assembly (1) operable by first and second pushes, with a case (2) open at one end and having an elastic leg (7) moveable in a work face of the case, the elastic leg having a follower (27) projecting toward an interior of the case, and a sliding member (4) operatively positioned and moveable in a sliding direction in the case, the sliding member operatively urged away from the case, the sliding member having a body (20) having a cam surface (6) facing the work face of the case, the cam surface having a central island (22) projecting toward the work face and a cam track (figure 13) formed thereabout for the follower, the follower being in a captive position when the assembly is in a locked position and in a free position when the assembly is in a released position, and two opposed elastic claws (21) which when not urged are maintained apart from each other, wherein the two claws are brought toward each other when the assembly is in the locked position and the sliding member is inserted in the case (figure 3) and wherein the two claws are released when the assembly is in the released position (figure 2), and where the follower, while traveling on the first and second paths, moves, in the plane of the work face and relative to the case, a distance greater than a maximum width of

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the central island as measured in a direction transverse to the sliding direction (figures 13, 19 and 20), as in claim 18.

Arakawa et al. further disclose the elastic leg having two branches (25 and 28) each attached to a corner of the work face, the two branches joining together at the follower, as in claim 19, and the sliding member further having two lateral walls (the walls on either side of the sliding member as shown in figure 9) substantially parallel to the sliding direction and defining a portion of the cam track and a peninsula (the peninsula across the cam track from the central island as shown in figure 13) facing the central island and positioned at the end of the sliding member proximate the elastic claws (figure 13), the lateral walls and the peninsula projecting from the cam surface toward the work face (figures 1 and 10), as in claim 20, wherein the central island is an integral part of the body (figures 9, 10, and 13), as in claim 21.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to cam actuated latch assemblies:

U.S. Patent Number 5,273,328 to Kurosaki.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Boswell whose telephone number is (571) 272-7054. The examiner can normally be reached on 9:00 - 4:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on (571) 272-6843. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CJB *CB*  
August 1, 2005



**BRIAN E. GLESSNER**  
**PRIMARY EXAMINER**